



2813/s

Attorney Docket SEL 191

UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
)
Tanaka et al.)
)
Serial No.: 09/610,637)
)
Filed: July 5, 2000)
)
For: Laser Irradiation Apparatus, Laser)
Irradiation Method, Semiconductor)
Device And Method Of Manufacturing)
A Semiconductor Device)
)
Art Unit: 2813)
)
Examiner: David S. Blum)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents , P.O. Box 1450, Alexandria, VA 22313-1450 on <u>December 3, 2003</u> (Date of Deposit) <u>Shannon Wallace</u> Name of applicant, assignee, or Registered Rep. <u>Shannon Wallace</u> <u>12/3/03</u> Signature Date	
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE (A)

Sir:

Applicants have the following response to the Office Action of August 1, 2003, two month extension of time being submitted herewith.

In the Office Action, the Examiner has the following rejections under 35 USC §103(a):

- (a) Claims 67-70 and 74 are rejected under 35 USC §103(a) as being unpatentable over Talwar in view of Wakita;
- (b) Claims 72-73 and 75 are rejected under 35 USC §103(a) as being unpatentable over Talwar in view of Wakita and further in view of Im; and
- (c) Claim 71 is rejected under 35 USC §103(a) as being unpatentable over Talwar in view of Wakita and further in view of Kudo.

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Each of these rejections is respectfully traversed.

As a primary reference, the Examiner is relying upon Talwar for each of the rejections herein. Talwar, however, is not prior art to the present application.

In particular, Talwar issued on April 30, 2002 based on an application filed on April 12, 2000.

The present application was filed on July 5, 2000 and claims priority under 35 USC §119 to Japanese application serial no. 11-191054 filed on July 5, 1999.¹

Therefore, since this application has a priority date of July 5, 1999, which is prior to the April 12, 2000 filing date of Talwar, Talwar is not prior art to the present application. Accordingly, the rejections based thereon are improper, and it is respectfully requested that these rejections now be withdrawn.

¹ A certified copy of the priority application was filed with the filing of this application on July 5, 2000. Applicants are preparing an English translation of this priority document and will submit it as soon as the translation is finished.

Conclusion

As there are no other rejections, it is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any fee is due for this response, please charge our deposit account no. 50-1039.

Favorable reconsideration is earnestly solicited.

Date: December 3, 2003

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Mark J. Murphy', is written over a horizontal line.

Mark J. Murphy

Registration No. 34,225